

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION

JEREMY STEVENS, ET AL.

PLAINTIFFS

V.

CIVIL ACTION NO. 1:22-CV-143-DPJ-FKB

LINCOLN FINANCIAL GROUP,
INC., ET AL.

DEFENDANTS

ORDER

Defendant Lincoln National Life Insurance Company (Lincoln) asks that this ERISA-governed benefit action be remanded to a claims administrator so that Plaintiffs' claim can be considered on the merits. All parties consent to Lincoln's motion; the Court agrees that it is proper for a claims administrator to review and decide the claim. *See Offutt v. Prudential Ins. Co. of Am.*, 735 F.2d 948, 950 (5th Cir. 1984) ("If new evidence is presented to the reviewing court on the merits of the claim for benefits, the court should, as a general rule, remand the matter to the plan administrator for further assessment."). Therefore, Lincoln's motion to remand to a claims administrator [19] is granted.

Lincoln's motion also asks the Court to stay the case. But after conferring with the parties—for administrative purposes and in the interest of justice—the Court finds that the case should be administratively closed. The Clerk is directed to administratively close the file until further order of the Court. The administrative closure of this case shall in no way constitute a dismissal or termination of this action and shall have no effect on any statute of limitations. If necessary, a party may move to have the case returned to the active docket.

SO ORDERED AND ADJUDGED this the 6th day of January, 2023.

s/ Daniel P. Jordan III

CHIEF UNITED STATES DISTRICT JUDGE